

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA

v.

CHARLES MCCREARY, JR., JOSEPH COHEN,  
MATTHEW DOWELL, and  
CRAIG JORGENSEN  
Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§

Criminal No. H-19-719S

**GOVERNMENT'S NOTICE OF INTENT TO RELY**  
**ON SOUTHERN DISTRICT OF TEXAS**  
**CRIMINAL LOCAL RULE 55.2.A**

COMES NOW the United States of America, by Jennifer B. Lowery, the United States Attorney, Sherri L. Zack and Kimberly A. Leo, Assistant United States Attorneys for the Southern District of Texas, and files this Notice of Intent to Rely on Southern District of Texas Criminal Local Rule 55.2. (CrLR 55.2.) and states as follows:

1. The trial of this matter is currently scheduled for March 28, 2022.
2. Southern District of Texas Criminal Local Rule 55.2 provides that:
  - A. ***Authentication of Exhibits.*** A party requiring authentication of an exhibit must notify the offering party in writing within seven (7) days after the exhibit is listed and made available. Failure to object in advance of the trial in writing concedes authenticity.

- B. ***Objections to Exhibits.*** Objections to admissibility of exhibits must be made at least seven days before trial by notifying the Court in writing of the disputes, with copies of the disputed exhibit and authority.

3. On February 23, 2022, the Government provided defense counsel with the Government's Trial Exhibit List. The Government has made, and will continue to make, all the exhibits available to defense counsel. The Government has all exhibits available for review by defense counsel, including items previously provided in discovery and which have been continuously available since the defendants' indictment, pursuant to Rule 16. The Government intends, through compliance with CrLR 55.2., to request that the Court admit, at trial, the evidence listed in the Government's Trial Exhibit List without the necessity of testimony from records custodians or other formal sponsors as directed by Federal Rule of Evidence 901.

Respectfully submitted,

JENNIFER B. LOWERY  
United States Attorney

By: /s/ Sherri L. Zack  
Sherri L. Zack  
Kimberly A. Leo  
Assistant United States Attorney  
(713)567-9374

**Certificate of Service**

I hereby certify that a true and correct copy of the above notice was sent via ECF to the attorneys for the defendants on this 24th day of February, 2022.

s/ Sherri L. Zack  
Sherri L. Zack  
Assistant United States Attorney